

RECEIVED
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA,
NORTHERN DIVISION

C&J ASSOCIATES PEST CONTROL,

Plaintiff,

v.

BOB RILEY, et al.,

Defendants.

CASE NO. 2:06-cv-884-MEF

MOTION FOR EXTENSION OF TIME
TO FILE RESPONSIVE PLEADING

COMES NOW John Bloch, and Joe Debrow, sued in both their official and individual capacities, and moves this Honorable Court for an extension of time in which to file a response to the Plaintiff's complaint. In support of this motion, John Bloch and Joe Debrow state the following:

- 1) On October 1, 2006, the plaintiff initiated this lawsuit, naming as defendants over a dozen state officials and employees.
- 2) John Bloch and Joe Debrow were served on October 5, 2006, and other state defendants were apparently served over the course of the following week.
- 3) Presently, John Bloch and Joe Debrow are required to file a response to the plaintiff's complaint by October 25, 2006. Other state defendants are required to submit responsive pleadings between then and October 30, 2006.
- 4) Due to the number of state defendants being sued by the plaintiff, as well as the number of claims set forth in its complaint, the Governor's Office, the Office of Attorney General, the Department of Finance, the Department of Mental Health and

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ALL THE DEFENDANTS
October 25, 2006
MONTGOMERY, ALA.
Mental Retardation, and the Department of Agriculture and Industries are working together to secure counsel for all the defendants and to prepare a joint defense in this case.

5) Despite best efforts, the state defendants have not yet had sufficient time to prepare a meaningful, unified response to the plaintiff's claims. However, this can soon be accomplished if the Court would grant a modest extension of time.

WHEREFORE, the above-cited grounds considered, John Bloch and Joe Debrow request that this Honorable Court grant them an extension of time until **November 17, 2006**, in which to file a response to the plaintiff's complaint.

Done this 25th day of October 2006.

Respectfully submitted,

TROY KING
ATTORNEY GENERAL

s/Robert Jackson Russell, Sr.
Robert Jackson Russell, Sr.
Assistant Attorney General

ADDRESS OF COUNSEL:
Alabama Dept. of Agriculture & Industries
1445 Federal Drive
Montgomery, Alabama 36107-1123
(334) 240-7118 Phone
(334) 240-7192 Fax

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Richard Cater, Esq.
State Finance Department
State Capitol
600 Dexter Avenue
Montgomery, Alabama 36130

Bill Garrett, Esq.
Ben Albritton, Esq.
Office of the Attorney General
11 South Union Street
Montgomery, Alabama 36130

Scott Rouse, Deputy Legal Advisor
Office of the Governor
State Capitol
Montgomery, Alabama 36104

Linda Shelton
Knox Pest Control
1570 N. Eastern Blvd.
Montgomery, Alabama 36117

and mailed a true and correct copy by U. S. Mail, postage prepaid to the following:

Curtis Duncan
C. & J. Associates Pest Control
P.O. Box 8186
Montgomery, Ala 36110